

FREJKA PLLC  
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*Attorneys for Eugenia G. Vogel Trust, the Eugnia G. Vogel Irrevocable Trust, Emile Gladstone,  
Howard Vogel, and Howard Vogel Retirement Plan*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT SECURITIES  
LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of Bernard  
L. Madoff Investment Securities LLC,

Plaintiff,

v.

Eugenia G. Vogel Trust, Eugenia G. Vogel Irrevocable Trust,  
Emile Gladstone, in his capacity as trustee of the Eugenia G.  
Vogel Trust and the Eugenia G. Vogel Irrevocable Trust,  
HOWARD VOGEL RETIREMENT PLAN and HOWARD  
VOGEL, individually and in his capacity as trustee of the  
Howard Vogel Retirement Plan,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05090 (SMB)

**NOTICE OF SUBSTITUTION OF COUNSEL AND PROPOSED ORDER**

PLEASE TAKE NOTICE that the law firm of Frejka PLLC, 733 Third Avenue, New York, New York 10017, shall be substituted in place of the law firm of Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, New York 10036 as counsel of record for Eugenia G. Vogel Trust, the Eugnia G. Vogel Irrevocable Trust, Emile Gladstone, Howard Vogel, and Howard Vogel Retirement Plan (the “Defendants”) in this adversary proceeding. All notices given or required to be given in this adversary proceeding shall be given to and served upon the following:

FREJKA PLLC  
733 Third Avenue  
New York, New York 10017  
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Jason S. Rappaport  
Telephone: (212) 641-0800  
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jrappaport@frejka.com

PLEASE TAKE FURTHER NOTICE THAT the Defendants have knowledge of and consent to this substitution of counsel.

Dated: New York, New York  
March 25, 2015

Dated: New York, New York  
March 25, 2015

KRAMER LEVIN NAFTALIS &  
FRANKEL LLP

FREJKA PLLC

By: /s/ Philip Bentley  
Philip Bentley  
1177 Avenue of the Americas  
New York, New York 10036  
Telephone: (212) 715-9100  
Facsimile: (212) 715-8000

By: /s/ Elise S. Frejka  
Elise S. Frejka  
Jason S. Rappaport  
733 Third Avenue  
New York, New York 10017  
Telephone: (212) 641-0800

Dated: New York, New York  
March \_\_, 2015

SO ORDERED:

HON. STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT SECURITIES  
LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

Eugenia G. Vogel Trust, Eugenia G. Vogel Irrevocable  
Trust, Emile Gladstone, in his capacity as trustee of the  
Eugenia G. Vogel Trust and the Eugenia G. Vogel  
Irrevocable Trust, HOWARD VOGEL RETIREMENT  
PLAN and HOWARD VOGEL, individually and in his  
capacity as trustee of the Howard Vogel Retirement Plan,

Defendants.

Adv. Pro. No. 10-05090 (SMB)

DECLARATION OF ELISE S. FREJKA

I, ELISE S. FREJKA declare as follows:

1. I am a member of the firm of Frejka PLLC and a member of the Bar of this Court.

Pursuant to Local Civil Rule 1.4 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I submit this declaration in support of the accompanying notice and proposed order substituting Frejka PLLC for Kramer Levin Naftalis & Frankel LLP as counsel for Eugenia G. Vogel Trust, the Eugenia G. Vogel Irrevocable Trust, Emile Gladstone, Howard Vogel, and Howard Vogel Retirement Plan (the “Defendants”) in the

above-captioned adversary proceeding. I also have read Local Bankruptcy Rule 2090-1 of the Local Rules of the United States Bankruptcy Court for the Southern District of New York.

2. The Defendants have requested and consent to this substitution of counsel.

3. It is not expected that any delay or prejudice will result to any party in this proceeding from this substitution of counsel.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
March 25, 2015

By: /s/ Elise S. Frejka  
Elise S. Frejka